**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**1) FIRST APPEAL NO. 129 of 2006.**

**2) FIRST APPEAL NO. 130 OF 2006**
**AND**
**3) FIRST APPEAL NO. 131 OF 2006.**

---

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders.

---

Shri Anil Singh for the Appellants.

Shri E.A.Sasi for the Respondent No.1.

**CORAM : ABHAY S.OKA, J.**

**DATED : 19th July, 2006.**

**P.C.:**

1. The learned Advocate appearing for the Appellants states that the Applications under Order XXI Rule 97 read with Rule 101 of the Code of Civil Procedure, 1908 have been filed by the Appellants in these Appeals before the trial Court and the said Applications are kept on 1st August 2006. He states that copies of the said applications will be served to the Respondents within a period of two days from today.

2. The learned Advocate for the Appellants prays that in view of the pendency of the said Applications, the Appellants may be permitted to withdraw the Appeals with liberty to prosecute the

pending Applications and till the said Applications are decided, the execution of the decree for possession be stayed. The prayer is reasonable.

3. The learned Counsel appearing for the Respondent No.1 states that till 1st August 2004 when the Applications are fixed for hearing, the decree for possession will not be executed.

4. Hence the following order is passed:

i) The Appellants are allowed to withdraw the Appeals with liberty to prosecute the Applications filed by the Appellants before the trial Court. The said Applications will be decided on its own merits as expeditiously as possible.

ii) Till disposal of the Applications, ad-interim relief granted earlier by this Court will continue to operate.

iii) There will be no order as to costs.

**Judge.**